

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

J M Smith Corporation d/b/a Smith Drug)	
Company d/b/a Integral Rx,)	C.A. No. 7:20-03922-HMH
)	
Plaintiff,)	
)	
vs.)	
)	OPINION & ORDER
Whitley Pharmacy, Inc.,)	
Robert Scott Bishop,)	
)	
Defendants.)	
_____)	

This matter comes before the court on Plaintiff J M Smith Corporation d/b/a Smith Drug Company d/b/a Integral Rx's ("J M Smith") motion for default judgment against Defendants Whitley Pharmacy, Inc. and Robert Scott Bishop ("Defendants"). J M Smith commenced this action on November 10, 2020, alleging that the Defendants have failed to pay amounts owed to J M Smith on certain open accounts and pursuant to a promissory note. (Compl., generally, ECF No. 1.) J M Smith requested entry of default on January 6, 2021. (Request Entry Default, ECF No. 8.) The Clerk of Court entered default on January 7, 2021. (Entry of Default, ECF No. 9.) The Defendants have failed to plead or otherwise appear in this action. Liability has been established by the default, and J M Smith moves the court for an award of damages, attorneys' fees, and costs.

After a thorough review of the complaint and record in this case, the court awards J M Smith damages in the amount of \$74,340.81, as of September 30, 2020, plus per diem interest in the amount of \$23.79. Further, J M Smith is awarded \$4,100.00 in reasonable attorneys' fees

pursuant to the contract between the parties, and \$1,084.00 in costs.

It is therefore

ORDERED that the motion for default judgment, docket number 10, is granted in favor of J M Smith and against Defendants, jointly and severally, in the amount of \$74,340.81 as of September 30, 2020, plus per diem interest in the amount of \$23.79 and reasonable attorneys' fees of \$4,100.00, and costs of \$1,084.00. Finding no just reason for delay, the Clerk is hereby instructed to enter default judgment.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
January 14, 2021